

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Demeno et al.

Application No.: 09/882,438

Confirmation No.: 8825

Filed: 14-Jun-2001

Art Unit: 2195

For: STORAGE OF APPLICATION SPECIFIC  
PROFILES CORRELATING TO  
DOCUMENT VERSIONS

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Examiner: Jennifer N. To

**PETITION TO WITHDRAW A HOLDING OF ABANDONMENT**  
**PURSUANT TO 37 CFR 1.181(a)**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST**

Pursuant to 37 CFR 1.181(a) and in accordance with MPEP 711.03(c)(I)(A),  
Applicant requests that the abandonment of the application be withdrawn and the time to  
respond reset.

**BASIS OF THIS SUBMISSION**

This information is being submitted promptly after applicant has learned of the  
abandonment on the basis of:

1. Notification by our client, assignee CommVault Systems, Inc., on October 4, 2007, of abandonment status according to their understanding from a recent review of PAIR, and subsequent review of PAIR by applicant's representative, the undersigned.

### **SUBMISSION**

Submitted herewith are:

1. A copy of the Patent Application Index listing all papers in our file for the above-referenced application.
2. A docket record for the above-referenced application from our patent docketing system.

### **STATEMENT OF FACTS**

This application has become abandoned due to a failure to timely respond to a Notice of Allowance mailed on May 17, 2007.

The Notice of Allowance was not received by applicant's representative, the undersigned. The Notice of Allowance was mailed to the former correspondence address of record: Brown, Raysman, Millstein, Felder & Steiner LLP ("Brown Raysman").

Applicant's file indicates that the undersigned's revocation and power of attorney, including a request for a change of correspondence address to Customer No. 25096, was filed on May 30, 2006. The PAIR image file wrapper for this application contains the power of attorney with a stamped received date of May 30, 2006. However, the PTO's records have not been updated to reflect a change of correspondence address to Customer No. 25096. Accordingly, the PTO has continued to send official correspondence, including the Notice of Allowance dated May 17, 2007, to former counsel of record, Brown Raysman.

Based on the foregoing facts, the undersigned states that the records and file for this application have been carefully examined and there is no indication of timely receipt by applicant's representative for the Notice of Allowance mailed on May 17, 2007.

**REQUEST FOR WITHDRAWAL OF ABANDONMENT**

Acknowledgment of the active status of this application is requested. Applicant further requests entry of Customer Number 25096 as the correspondence address of record pursuant to the power of attorney filed on May 30, 2006. Lastly, applicant respectfully requests that the Notice of Allowance mailed May 17, 2007 be reissued and the time for responding be reset accordingly.

Applicant believes no fee is due with this submission. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 606928002US from which the undersigned is authorized to draw.

Dated: October 10, 2007

Respectfully submitted,

By 

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Attorneys for Applicant

# PATENT APPLICATION INDEX

Matter No.: 60692.8002.US00

Client Ref. No.:

Inventors: De Meno et al.

Invention Title: STORAGE OF APPLICATION SPECIFIC PROFILES CORRELATING TO DOCUMENT VERSIONS

U.S. App. No.: 09/882,438

Confirmation No.: 8825

U.S. Filing Date: 06/14/2001

File History:

Examiner: To, Jennifer

Phone No.: (703)

Art Unit: 2195

Assigned to: CommVault Systems, Inc. on 06/14/2001 at Reel/Frame 011913/0637

Small Entity:

Nonpublication Request filed?: No

Date General Authorization Filed:

	Document(s)	Date filed w/PTO	Date Mailed from PTO	Due Date	PTA (+/- days)
1.	<u>Application with Assignment</u>	06/14/01			
2.	<u>Filing Receipt</u>		08/13/01		
3.	<u>Notice of Recordation of Assignment Document</u>		08/30/01		
4.	<u>Information Disclosure Statement</u>	09/12/01			
5.	<u>Request for Withdrawal as Attorney (filed by Hamilton)</u>	09/17/01			
6.	<u>Revocation of and Appointment of New Power of Attorney</u>	11/28/01			
7.	<u>Request to Rescind Previous Nonpublication Request</u>	07/23/02			
8.	<u>Updated Filing Receipt</u>		0821/02		
9.	<u>3 Month Office Action</u>		07/30/04		
10.	<u>Information Disclosure Statement</u>	09/16/04			
11.	<u>Supplemental Information Disclosure Statement</u>	10/26/04			
12.	<u>Response to Office Action</u>	01/31/05			
13.	<u>Final Office Action</u>		06/06/05		
14.	<u>Response to Office Action</u>	08/08/05			
15.	<u>Office Action</u>		09/08/05		
16.	<u>Request for Continued Examination</u>	10/04/05			
17.	<u>Office Action</u>		11/29/05		
18.	<u>Amendment, 3 Month Request for Extension of Time, Amendment Transmittal</u>	05/30/06			
19.	<u>Office Action</u>		08/23/06	11/23/06	

# PATENT APPLICATION INDEX

Matter No.: 60692.8002.US00

Client Ref. No.:

Inventors: De Meno et al.

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20.	<u>Interview Summary</u>		01/23/07		
21.	<u>Response to Non-Final Office Action, Petition for Extension of Time</u>	02/23/07			
22.	<u>Response to Non-Final Office Action</u>	05/10/07			
23.	<u>IDS</u>		06/07/07		

## Country Application

Monday, October 08, 2007

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Resp.Office: SEA

Case Number: 606928002

Country: US

SubCase:

Client: CommVault Systems, Inc.

United States of America

Case Type: CIP

Application Status: Published

Application Number: 09/882,438

Filing Date: 14-Jun-2001

Publication Number: US2001-0047381A1

Publication Date: 29-Nov-2001

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Issue Date:

Parent/PCT Number: 60/179,343

Parent/PCT Date : 31-Jan-2000

Parent Patent Number:

Parent Issue Date :

Tax Schedule: LE

Expiration Date:

Confirmation Number: 8825

Patent Term Adjustment: 0

Agent:

Agent Reference No.:

PC Client Ref. Number: 100.16.US1.120

Appeal Number:

Remarks:

Client Remarks:

**List Of Actions**

<b>Action(s) Due</b>	<b>Due Date</b>	<b></b>	<b>Action Taken</b>
Forgn File Priority (1-mo adv)	31-Dec-2000	Reminder	25-May-2006
Foreign Filing (Priority)	31-Jan-2001	Final	25-May-2006
Postcard Received?	14-Jul-2001	Due Date	25-May-2006
IDS (1-mo adv)	14-Aug-2001	Reminder	25-May-2006
Filing Receipt Received?	14-Sep-2001	Due Date	25-May-2006
IDS	14-Sep-2001	Due Date	25-May-2006
Missing Parts Received?	14-Sep-2001	Due Date	25-May-2006
Priority Claim? (1-mo adv)	14-Sep-2001	Reminder	25-May-2006
Priority Claim?	14-Oct-2001	Final	25-May-2006
Foreign Filing (6-mo adv)	14-Dec-2001	Reminder	25-May-2006
Foreign Filing (3-mo adv)	14-Mar-2002	Reminder	25-May-2006
Foreign Filing (1-mo adv)	14-May-2002	Reminder	25-May-2006
Foreign Filing	14-Jun-2002	Final	25-May-2006
File Related Apps? (2-mo adv)	14-Oct-2002	Reminder	25-May-2006
File Related Apps? (1-mo adv)	14-Nov-2002	Reminder	25-May-2006
File Related Apps? (2-wk adv)	30-Nov-2002	Reminder	25-May-2006
File Related Applications?	14-Dec-2002	Final	25-May-2006
PTO Status Check	14-Dec-2002	Due Date	25-May-2006
File Refs in US [PTA]	29-Dec-2005	Due Date	30-May-2006
File Ref in AU,CA,US(1-mo adv)	29-Jan-2006	Reminder	30-May-2006
File Response (1-mo adv)	29-Jan-2006	Reminder	30-May-2006
File Response(2-wk adv to Due)	14-Feb-2006	Reminder	30-May-2006
File References in AU,CA,US	28-Feb-2006	Due Date	30-May-2006
File Response [PTA]	28-Feb-2006	Due Date	30-May-2006
File Response (1st ext) [PTA]	29-Mar-2006	Due Date	30-May-2006
File Response (2nd ext) [PTA]	29-Apr-2006	Due Date	30-May-2006
File Resp (2-wk adv to Final)	15-May-2006	Reminder	30-May-2006
File Response [PTA]	29-May-2006	Final	30-May-2006
File Refs in US [PTA]	22-Sep-2006	Due Date	23-Feb-2007
File Ref in AU,CA,US(1-mo adv)	23-Oct-2006	Reminder	23-Feb-2007
File Response (1-mo adv)	23-Oct-2006	Reminder	23-Feb-2007
File Response(2-wk adv to Due)	09-Nov-2006	Reminder	23-Feb-2007
File References in AU,CA,US	23-Nov-2006	Due Date	23-Feb-2007

## Country Application

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File Response [PTA]	23-Nov-2006	Due Date	23-Feb-2007
US-Application Follow Up Date	25-Nov-2006	Due Date	25-May-2006
US-Application Follow Up Date	25-Nov-2006	Due Date	25-May-2006
Check Status	30-Nov-2006	Due Date	23-Feb-2007
File Response (1st ext) [PTA]	23-Dec-2006	Due Date	23-Feb-2007
File Response (2nd ext) [PTA]	23-Jan-2007	Due Date	23-Feb-2007
File Pet.to Revive (1-mo adv)	29-Jan-2007	Reminder	30-May-2006
File Resp (2-wk adv to Final)	09-Feb-2007	Reminder	23-Feb-2007
File Response [PTA]	23-Feb-2007	Final	23-Feb-2007
File Petition to Revive	28-Feb-2007	Final	30-May-2006
Check Status	23-Aug-2007	Due Date	30-Aug-2007
File Pet.to Revive (1-mo adv)	23-Oct-2007	Reminder	23-Feb-2007
File Petition to Revive	23-Nov-2007	Final	23-Feb-2007
Check Status	23-Feb-2008	Due Date	

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